

THE
TRIAL OF DIVORCE,

AT THE INSTANCE OF

PETER WILLIAMSON

PRINTER IN EDINBURGH,

AGAINST

JEAN WILSON,

Daughter of JOHN WILSON, Bookfeller in Edinburgh, his Spouse.

CONTAINING

THE WHOLE PROCEEDINGS AT LARGE.

WITH A

PREFATORY INTRODUCTION,

Giving some Account of the ADULTEROUS GALLANTS
and Reasons for suing the DIVORCE, and for publish-
ing the Proceedings in it.

“ For ’tis in vain to think to guess

“ At women — by appearances.

BYDNERAS.

EDINBURGH:

Printed for and sold by the Bookfellers in Edinburgh, Leith, &c.

MDCCLXXXIX.

[Price ONE SHILLING.]

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THE
INTRODUCTION.

ALTHOUGH the Publisher of the present process of Divorce has had many strange vicissitudes in life, from the time of his being kidnapped at Aberdeen, while a boy, and carried to North America, in the interior parts of which he lived for some time among the native Indians; yet having a good many years ago published his travels, of which there have been several editions, he does not mean at present to intrude upon the public with "a twice told tale" of himself. Since his settlement at Edinburgh, he has only endeavoured to recommend himself to the notice of his countrymen by his own industry; and, if proper allowances be made for his having been deprived of the means of any regular education, he flatters himself his inventions, and his plans, unattempted by any before him in this country, have been such as will secure him some part of the approbation of a generous public, and disappoint the slanderous attacks of a few individuals, who would, by the arts of hypocrisy, lay to his own blame the causes of his late domestic infelicity.

That Mrs Williamson has had a virtuous education, her husband had no reason to doubt. Even the *appearance of sanctity*, so conspicuous in the father, could hardly fail in having a good influence on the daughter. And during the greatest part of her married state, until within these few years, she was a good wife, a tender mother, regular and careful in all domestic concerns. She was also a good assistant in earning a maintenance, having been bred a mantua-maker, and, in that line, meeting with the encouragement and employment of many respectable families. To give the better scope to her industry, although she has had nine children, she has not been nurse to any of them, being indulged with the giving them out to nurse till they were near two years of age. Four of these are living; and much has been said and insinuated by the now debased mother and her canting father, of the cruel husband;—who had put away a wife who had lived with him eighteen years, and had bore to him nine children;—scandalized her with a disgraceful process;—and left her by herself to the charge of providing bread for the surviving children;—whom she had inveigled away from their father for a short time, to give the
better

INTRODUCTION.

better colour to her professions of innocence and declamation of wrongs, while silence and repentance would have been more suitable ornaments.

- "The world is still deceiv'd with ornament.
- "In law, what plea so tainted and corrupt.
- "But, being season'd with a gracious voice,
- "Obscures the shew of evil?—In religion,
- "What damned error, but some sober brow
- "Will bless it, and approve it with a text,
- "Hiding the grossness with fair ornament?
- "There is no vice so simple, but assumes
- "Some mark of virtue on its outward parts.
- "Thus ornament is but the guiled shore
- "To a most dangerous sea:—In a word,
- "The seeming truth which cunning times put on
- "T' entrap the wisest."

Shakespeare.

Mr Williamson will always be among the foremost to speak in the praise of his late wife, for her good, thrifty, and exemplary conduct, till some time after she had her youngest child. And her first detection in guilt being by her husband himself, and under private circumstances, she had his forgiveness, so far as to keep the matter concealed; though from that time he admitted her not again to that bed which she had left, at the dead hour of night, to gratify the lust of a base and treacherous lodger but lately admitted into their house: And for the sake of quietness,
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the vile adulterous seducer was followed with no farther punishment than an immediate dismissal out of the house. He could make no farther sacrifice to the reputation of his family.

The monster of lust, driven out of the house, had still the address to intrigue, by the intervention of bawds and panders; watching the times of the husband being out of the house, and sending messages, letters, &c. addressed on the back to fictitious persons, to save appearances if they fell into the husband's hands; and thus contriving interviews and meetings, in the houses of others.

A correspondence of this kind was attended by frequent drinkings; and drunkenness, at first a concomitant of the other vice, made both habitual. Of all bad habits in women, that of drunkenness is the worst, and an inlet to all other vices. It sullies all virtues, and at last extinguishes them. It overcomes also the superior reason of men; and thus says Hamlet of the drunken revels of the Danes,

- “ This heavy headed revel, East and West,
- “ Makes us traduc'd and tax'd of other nations :
- “ They clepe us drunkards, and with swinish phrase
- “ Soil our addition; and, indeed, it takes
- “ From our atchievements, though perform'd at height,
- “ The pith and marrow of our attribute.

“ So

“ So oft it chanches, in particular men,
“ That for some vicious mole of nature in them,
“ By the o’ergrowth of some complexion,
“ Oft breaking down the pales and forts of reason,
“ Or by some habit, that too much o’erleavens
“ The form of plausible manners; that these men,
“ Carrying, I say, the stamp of one defect,
“ Their virtues else, be they as pure as grace,
“ As infinite as man may undergo,
“ Shall in the general censure take corruption
“ From that particular fault.—The dram of *base*
“ Doth all the *noble* substance of worth out.”

In short Mrs Williamson became at last so abandoned, that she was detected by others, in adulterous intercourse, in a public stair; and it being no longer possible for her husband to conceal her shame, or live in honour with her, he proposed a separation; but Mrs Williamson was pleased to take fire at the first reproaches, talked wildly about her injured innocence. She was left in the house coolly to reflect on what had been said to her, and took the first opportunity to strip the house of every thing she could get carried off; and, enticing the children to follow her, she retired to a house in the Fleshmarket Close, provided for her by her father.

Having admitted that Mrs Williamson, for a series of years, was a most frugal and virtuous

ruous wife, it is also allowed, that it would have been commendable in her father to take his lost daughter under his immediate protection, if he had gone no farther. But in place of covering her confusion with that Christian consolation, and those admonitions to a repentance, which might have been expected from his appearance and usual phraseology, he did his utmost to propagate, most scandalously false reports, to the prejudice of the injured husband, to whom he ought to have brought his daughter imploring forgiveness on her knees. He also attempted to set up a penny post-office, in opposition to that established by Mr Williamson himself, taxing him with incapacity, and imposing on every one, with whom he could obtain a hearing, the pitiable tale, that it was by Mrs Williamson's care that this business attained reputation; and that now she was under the necessity of continuing in that line, separate from her husband, to procure a subsistence for herself and her helpless children, all left upon her hands by an unnatural father.

Candid reader—It was these very extraordinary proceedings that induced the abused husband to bring his action of divorce, that he might have legal proof to silence the calumnies

lumnies against himself, and to intitle him to take his children from their mother; as without such proofs against the mother, the laws have preferred her to the custody of the children.—And it is in his own justification, and to rescue his character from unmerited obloquy, that he has presumed to trouble others with a publication of these matters, and of the trial at large, without disguising the truth, and to put Mrs Williamson upon an equal footing to vindicate herself against the libel preferred against her in Court, that she might have a fair trial to exculpate herself, and show her innocence wherein she was accused. Nothing would have given the prosecutor greater pleasure than to have failed in his proof, and the Court to have pronounced sentence, finding her not guilty of the crime laid to her charge. If this had been the case, he would with open arms have received his wife back again into his favours, and begged pardon of God, and acknowledged his faults before all men, and would have implored her forgiveness, had she been innocent or wrongfully accused.

But the Reader will here observe the proof has turned out otherwise, and the process went on in common form, aggravated by the

false and malicious aspersions of a hypocritical father-in-law, to screen the guilt of his daughter from the eye of the world, to the prejudice of her husband and children, who he himself must have known from his daughter's behaviour, she was not acting the fair part with her husband, in concealing his income, and squandering it away to base purposes.

To silence the false report of his father-in-law, he was obliged, against his own inclination, to raise the action of divorce against his daughter, in his own vindication, otherwise he would have rested satisfied with the inhibition served upon her to prevent her from hurting his circumstances for the time to come; but it was then too late to recall what was done by Mrs Williamson and her father, who stripped the house of every thing they could carry off with them, leaving me but a very scanty allowance of both cloaths and linen. From this I was obliged to betake myself to a private room, loaded with all the infamy that could be thought of by my wife and her father, who was a lodger with me for several months before this happened. Although he has the appearance of godliness, yet he was but a bad companion, and acted

two ways in this matter. Had he been honest enough at first outset of the difference betwixt his daughter and her husband, to enquire into the merits of the cause, and find out the truth of it before he ventured to accuse one or the other, which was the duty of every affectionate parent so to do. But instead of this, he vindicated his daughter although he knew she was in the wrong, and scandalized her husband in the most public manner he could, without any regard to truth.

Nineteen witnesses were summoned, nine of which were examined, and the Court found they had proved the libel, and it was not necessary for me to bring forward any further evidences, although there was some application made to examine Griffiths and Grant, as from them something extraordinary was expected; but being unwilling to trouble the Court, I was advised to desist from the application made, and to submit the case to the judges, with the evidence that was already brought before them.

I cannot here pass by without taking notice of the great attention paid by the Court in taking down the depositions of the witnesses in so solemn a manner; kneeling upon their bended knees, with their right hand

upon the holy bible, praying, that all the curses therein contained may fall upon them if they did not tell the truth, and nothing but the truth; and further repeating after the judge, praying that they may never obtain any of the blessings contained in that holy book if they concealed any part of the truth, in so far as is asked of them, or they themselves knew. * Being then purged of partial counsel, malice, and ill will, &c. then they are ordered by the judges to rise up and sit down upon a chair, with the bible lying open before them while they are examined. In short, the commissaries, who are judges of this Court, are men of honour, and discharge their duty to the lieges with impartiality; and their decent decorum in examining the witnesses brings forth the truth from those who are not willing to speak out. The solemnity of the judge, and his personal attendance upon all occasions, strick awe upon many of the witnesses, that they are afraid to deviate from the truth.

I now come to make some observations upon Mrs Williamson's adulterous gallants, which I shall point out by the name of *Goats*, as they answer to the letter G. Goats being the only destructive beasts we have in this country

country among the animal vegetables, destroying every herb which is not lawful for them to use, chusing that rather than the food appointed for them, their weapons are poisonous, and their wounds deadly, incurable by any physician; they lay waste the trees of the field, and nip the tender buds, that they never more make their appearance in their original state, but fades away with infamy and disgrace, and are despised by all other herbs on the face of the earth, because they become useless for cultivation, and are cut down and thrown into the fire, and no more regarded among mankind.

These Goats were lawfully cited as witnesses to answer the purpose of the last evidence in the proof, called STEPHENS, but did not appear to their summons. I shall here view them as art and part guilty of adultery, and their unbecoming behaviour will appear in the proof annexed hereto, and will give the public a clearer idea of their diabolic practices, in decoying a once virtuous woman from the affection of her husband to their brutal lust and carnal desire; they used all means possibly they could to bring her over to her ruin, and them to shame, by intoxicating her with liquor, to obtain their
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wicked purposes and designs, which they spared no pains to accomplice at the risk of their souls, in deluding and decoying an unfortunate woman, who, before their vicious acts upon her weakness, lived in repute and reputation with her neighbours, which these goats at once took away from her by their cunning and crafty collusions; dragging her from one house of bad fame to another, under cloud of night, till she became a reproach among her own friends, and an undutiful wife at home. Prostituted to lust with these infernal devils in human shape, who, when they had arrived at their cruel desire, like cowards, left their victim to the mercy of the world, and an offended husband. These things ye have done in secret, but I will vindicate myself openly, and show wherein I am wronged, by your false and unlawful intrigues with a woman whom the law of God and man forbids you to covet. If you could only learn to do as you would have others do to you, consider then this command laid before you by the universal Lawgiver, who will one day or other require of you restitution for the injuries you have done in this life. Only consider the dreadful consequences that follow your carnal desires, and carries
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such a stigma along with them, that will for ever sink your souls into hell, without you repent and make restitution to the victim you have conquered; your deceit has turned joy into mourning, and caused motherless children seek their bread at the hands of others, and leave a disconsolate husband weeping over them, obliged to leave his house, which he had possessed for thirty-three years, with honour and credit, and betake himself to strange lodgings, separated from wife and family, destitute of every necessary of life, and his substance called in question by his creditors. In this situation I laboured under for some time, owing to the bad influence those wretched goats had upon Mrs Williamson, who entertained them in a clandestine manner with meat and drink at the expence of her husband's industry, till at last she brought him to poverty, and herself to shame, by the instigation of those perfidious monsters of impiety, which I call goats.

I shall now come to consider what punishment is due to these adulterers from the injured children and their posterity, who must ever keep in remembrance the affront put upon them and their deluded mother, by the unjustifiable conduct of these wicked men, who

who have cast off all fear of God, and committed iniquity against the innocent, for no other ends but to fulfil their own brutal lusts, and put themselves on a level with the devils in hell, who are forsaken by all the heavenly powers, damned to destruction, and their punishment allotted them with the evil spirits, which burn day and night with fire and brimstone; and the crime of adultery which you have committed in secret, will then be openly manifested against you, by the cries and petitions of the innocent children and their offended father, who will bear witness against you for the evil you have done to them, for which you never can make them reparation; but as God is merciful, he will, if you sincerely repent, show mercy to you, if you ask forgiveness in his Son's name, who died for sinners, and rose again for their redemption and justification. Give me leave then to add, it is high time for you to make application to Almighty God for his forgiveness; and it is also incumbent upon you to make such restitution as is in your power to those you have injured, that you may obtain their forgiveness, which will pave the way for you to salvation.

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The crime which you are accused of, is of the most aggravating nature, both against the law of God and man, and attended with dreadful consequences that follow them. By your own voluntary and wicked actions, you brought reproach and calumny into a peaceable family, of which you can never get the better but by a timely repentance, without which you cannot see the kingdom of heaven; for the sentence is already pronounced against you: Cursed are they who separate man and wife from each other, and disturb the peace and happiness of the family.

I come now to speak to Mrs Wilson, formerly Mrs Williamson, as she cannot any longer, with propriety, take the name of Williamson. She ought now to be reconciled to the law of her country, and be satisfied, that she herself and her father were the principal instigators of the process of divorce. Mr Richardson, your man of business, strained every point to serve you; and Mr Wood solicitor was as moderate as the nature of the case could admit him, nor had he instructions from me to urge any thing but what was founded upon facts; so that you have had a fair and candid trial,

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and no advantage taken of you. From this your conscience must dictate to you, that you have done wrong; and that you now should lose no time to beg pardon of Almighty God, and become a true penitent, joining in the words of the holy Prophet David, who acknowledged he had sinned against the Lord; but yet he would pay his vows to him in the congregation of the righteous. In such a manner you should, without delay, return and make satisfaction to the church you was brought up in, and take advice of the pious and able ministers therein, who will pave the way for you to salvation; and by their instructions and your repentance you may again be restored to life. Remember the words of our blessed Saviour, who has said, there is greater joy in heaven over one sinner that repenteth, than over ninety and nine that need no repentance; and let the latter end of your life be an abhorrence to that of your youth.

I shall not here any more upbraid you, as I am in duty bound, by the express command of the Lord and Giver of life, to pray for mine enemies, and to forgive them; yet I am no where required in Scripture to take mine enemy into my bosom, or have any intercourse

tercourse with them ; but pass by them as if I knew them not. Although the injuries you have done to me and your children are great, notwithstanding I forgive you, and I pray God may also forgive you, and bring you to a sight of your past folly, that your sins may be done away by the intercession of the Son of God, who will hear your petitions when offered up to him by a true and penitent heart.

In the last place, I could wish to advise you to shun all the evil company who have deluded you, and have brought dishonour upon you, and your whole family to misery ; and the only restitution you can now make, is to despise those wretches who have got the better of your weakness, and come to the holy Communion, and there offer up your thanks to God ; and be, by your bishop and his colleague, instructed in the paths of righteousness ; and according to their office, they are always ready and willing to give the best advice in spiritual matters to any under their charge, and especially to those that ask it.

I shall only add in these few words, that your disobedience makes it necessary for you to crave the assistance of all good Christians,

to protect you from the evil that yet may come upon you, if proper care is not taken to avoid bad company. And you see the law of God and man has separated you from your husband, never more to have any concern with each other; which brings you under the same state to your husband as you were naturally dead. In consequence of this, you are now left to the mercy of the world, without any head or governor to protect you from the assaults of your enemies. But if you will turn again, like the prodigal son, the Lord your God will have mercy upon you, and be your Protector for ever, and will receive your soul into the mansions of his eternal bliss, prepared for the reception of holy spirits that are redeemed by the precious blood of Christ, who sits Advocate at the right hand of God for our justification; where there is no need of evidence against us; for there our own consciences shall either acquit or accuse us, according to the works we have done in this world.

In the next place, I shall proceed on temporal concerns, and then conclude with some observations that have lately happened in the course of this process.—I was accused
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of falsehood by a few individuals, who maliciously propagated among my friends, that I had failed in my proof, and no regard should be paid to what I said. This had a very fatal effect with my neighbours and acquaintances, who were divided into different opinions on what side of the question to believe, or what sort of a proof I could bring to vindicate myself from the scandalous abuses of the opposite parties, who devoted their time to assert positive lies, and stir up mischief, to gain their wicked purposes. From this I found I could no longer live in the neighbourhood, without publishing the proof at large, in order to shew who was to blame. In consequence of the ill treatment I met with, I undertook, at my leisure hours, to state the facts, which I did at a pretty considerable length. But, being diffident of my own abilities in point of language, I applied to a writer, to overlook what I had written on the subject, and to see if it could be put to press in my own stile, which he engaged to do; but after receiving my manuscript, and money for his performance, he put me off from time to time with fair words, that it would be done in a few days. After waiting for months upon his promises, I then

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then demanded my own writings back from him, but that was refused; upon which I concluded he was bought off, or the subject of adultery he was to inspect was a favourite amusement of his own, and that he might have a scruple of conscience to write any thing against it. If that be the case with him, he had no more to do, but return the copy and money he received from me, and no more words would have been said about it. Then he might have applied his conscience, if any he has, to any purpose he pleased. But, in the mean time, he has broke his promise, and put me to a considerable trouble, in composing a new what I had formerly done.

From this disappointment, I now venture to lay before the public the preceding lines in my own composition, in hopes that the reader will be so good as to excuse any inaccuracy that may be found in it, as I do not pretend to write in the style of the learned authors, or to amuse the world with a subject which is not my own. I only wish to be understood by representing facts, and what I am deficient in, I hope the candid inspector will supply it from his own judgement, in point of language. Or do I wish

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to have that vain imagination of myself, to think my works will be received for their oratory, as it is sufficient for one in my line of life to be able to distinguish betwixt right and wrong. Had I the education of Voltaire, Pope, or Addison, this work would have been introduced to the world in their style; but if these learned men had been brought up at my school, perhaps they would have as little to boast of as I have.

The reader will be here asking, what school I was brought up at? I shall only tell them, that the extent of it was upwards of four thousand miles, and the height thereof as high as the heavens, governed by Indians of many nations; and regular education is no where taught among them, but handed down from one generation to another, and their records are kept, marked with tomahawks on the outside of trees, and can be distinguished by themselves for centuries back. I shall only leave it to the public to judge, if they can expect a learned discourse from a person, who, from his infancy, was brought up with those Savages, and taught nothing else but the use of the tomahawk and scalping knife; for a printed book was alike to me with that of clean paper;
and

and the only opportunity I had to learn any kind of figures, was in the time of snow, to imitate the Indians by the mark they made on trees, which much resembles the Greek characters. At the age of twenty-five years, being the time I made my elopement from them, and after that period have had but little time to employ myself to learning. I contented myself with what I could pick up from books, &c.

DECREE

DECREET OF DIVORCE,

PETER WILLIAMSON,

AGAINST

JEAN WILSON.

AT Edinburgh, the sixth and twenty-ninth days of March seventeen hundred and eighty-nine years, anent the action, and cause for Divorce, raised, intended, and pursued, before Andrew Balfour, Robert Craig, George Ferguson, and Robert Hodshon-Cay, Esquires, Commissaries of Edinburgh, at the instance of PETER WILLIAMSON, printer in Edinburgh, with concurrence of Mr James Balfour, procurator-fiscal of court, for his interest, against JEAN WILSON, daughter of John Wilson book-

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feller

feller in Edinburgh, spouse of the said Peter
 Williamson, by virtue of the saids Commis-
 saries, their libelled precept raised thereanent,
 which maketh mention, That where in the
 month of November, seventeen hundred and
 seventy years, the holy bond of marriage was
 lawfully solemnized betwixt the pursuer Peter
 Williamson, and the said Jean Wilson de-
 fender, by the reverend Mr John Allan, mi-
 nister of one of the Episcopal Congregations
 in this city; and accordingly the pursuer, and
 the said Jean Wilson, did from that time co-
 habit, converse, and keep society together for
 several years; mutually treating and entertain-
 ing each other at bed, board, and other con-
 jugal duties, as became married persons; and
 were habite and repute such by all their friends,
 neighbours, and acquaintances: Notwith-
 standing whereof, the said Jean Wilson, cast-
 ing off all fear of God, and forgetting all her
 conjugal vows and engagements, has, for these
 several years bygone, followed a tract of keep-
 ing fellowship, company and society, with god-
 less, lewd, and abandoned men, known not to
 be the pursuer, one or more; treating, enter-
 taining and conversing with them privately
 and adulterously, alone, at bed, and board,
 and other ways unseemly; so as was not law-
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ful to have been done with any, except the pursuer her lawful married husband; and more particularly, within these twelve months last bygone, the said Jean Wilson has been in the practice of frequenting different houses of bad fame, both in this city and neighbourhood, where she used to meet with lewd and wicked men, to whom she gave the use of her body carnally, and in which houses she has often ght herself intoxicated with liquor: That during the foresaid period, she has also appointed such lewd and wicked men to call upon her at the pursuer's house in the city, at times when she knew that his business required him to be from home; and did there retire with them to a chamber wherein there was but one bed; and where, upon different occasions, she has allowed such men to have carnal knowledge of her; and did otherways, privately, familiarly, and adulterously, converse with them, upon one or other of the occasions above mentioned: From all which it is evident, the said Jean Wilson has been guilty of adulterous practices with other men, known not to be the pursuer; and that she has been guilty of adultery. Therefore the said Peter Williamson pursuer, ought to have the said Commissaries their sentence and decret, finding

ing and declaring, that the said Jean Wilson has been guilty of adultery; and divorcing her from the pursuer's fellowship, company, and society, in all time coming; and finding, discerning and declaring, the pursuer at liberty to marry, whom and when he pleases, as if the said defender had never been married to him, or was now naturally dead: As also, finding and declaring, that the said Jean Wilson has forfeited and omitted all the rights and privileges arising, or that might arise to her, from her marriage with the pursuer: And lastly, the said Jean Wilson ought to be found liable to the pursuer in every expence which may attend the carrying on of this process, and extracting the decret thereon to follow: all after the form and tenor of the laws and practice of Scotland, used and observed in the like cases. And anent the charge and citation lawfully given to the said Jean Wilson defender, by James Graham messenger, personally apprehended, upon the tenth day of November, seventeen hundred and eighty-eight years; in virtue of the said libel, to have compeared before the said Commissaries, upon the twenty-sixth day of November, and third day of December, seventeen hundred and eighty-eight years, in the hour of cause,

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to have answered at the instance of the said Peter Williamson, and fiscal, pursuers, anent the matters libelled; and he made certification as effeired; all which he did conform to the said summons in all points, by delivering to the said defender a full double of said libel, with a short copy of citation thereto subjoined, before Alexander Graham and Robert Hamilton, indwellers in Edinburgh, witnesses to the premises; as in the said libelled summons and execution thereof, is at more length exprest.

Which action being called, the said Peter Williamson pursuer, compearing by John Wood, solicitor at law, his procurator, who, for him, produced in presence of the said Commissaries the foresaid libel, and execution thereof; and the said Jean Wilson defender also compearing by William Richardson, solicitor at law, her procurator; the foresaid libelled summons, and execution thereof, pursuer's oath of calumny, defences, answers, and proof adduced in support of the libel, having been at length heard, read, seen and considered, by the said Commissaries; and they being therewith, and with the hail other steps of procedure had in the cause, well and ripely advised; the said Commissaries, by their decret,

Found,

Found, and hereby Find, facts, circumstances; and qualifications proven, relevant to infer the said defender Jean Wilson her guilt of adultery: Found, and hereby Find, the said defender guilty of adultery accordingly: And therefore Divorced and Separated; and hereby Divorce and Separate her, the said Jean Wilson, from the said Peter Williamson, pursuer his fellowship, company and society, in all time coming: Found and Declared, and hereby Find and Declare, that the pursuer is at liberty to marry whom and when he pleases, as if the said defender had never been married to him, or was now naturally dead: As also Found and Declared, and hereby Find and Declare, that the said Jean Wilson has forfeited and omitted all the rights and privileges arising, or that might arise to her, from her marriage with the pursuer: And Decerned and hereby Decern. Because at first calling of the foresaid action and cause, which was in presence of the said Commissaries, upon the third day of December, seventeen hundred and eighty-eight years, the said pursuer compearing, as said is, by the said John Wood his procurator, who produced the foresaid libel and execution thereof; and the said defender also compearing by the said William

William Richardson, her procurator, the Commissaries made avizandum with the libel and execution: And the said Commissaries having considered the foresaid libel and execution, they, by interlocutor, of date the said third day of December and year foresaid, admitted the pursuer to his oath of calumny; as the said interlocutor bears: Thereafter, upon the same day, compeared the said Peter Williamson pursuer, who being sworn *de calumnia*, and examined, Deponed, that he has good reason to pursue this present action; because he believes the defender has been guilty of the crime of adultery: Deponed, that there is no collusion betwixt the deponent and defender anent carrying on this action: And this is truth, as he shall answer to God. As the said oath of calumny, signed by the pursuer and said Mr Robert Craig, bears.

Thereafter, the Commissaries assigned a certain day to the said William Richardson, for the defender, to give in defences in writing, and produce mandate. Accordingly, upon the twelfth day of said month of December, the following defences were given in for the defender, bearing,—That the defender had been married to the pursuer these seventeen years, during which they have had nine children, four of whom

whom are alive, viz. three sons and a daughter; one of the sons is in Herriot's Hospital, and the other three children are with their mother the defender. The defender was bred a mantua-maker, and in that line has, ever since her marriage, exerted herself to the utmost to provide for the family; and has had the happiness to be countenanced and employed in fundry families of rank and respectability, amongst many others in a lower station. Had the pursuer been disposed to be equally assiduous and attentive, in his business as a printer, and master of a penny post-office, which he still carries on, besides the profits arising from his annual publication of his Edinburgh Directory, they might have done very well together; but, unluckily for both, the pursuer gave up himself to tippling and intoxication, with mean and low people; so that he was generally abroad, at night, till two or three in the morning; and, in this dissipated way, the profits arising from his occupation was habitually spent and dissipated. Of this the defender often experienced the fatal effects; for besides the distress of the family, the pursuer contracted a habit of groundless jealousy against his wife: She is naturally of an affable chearful temper, and as her business

ness led her to call upon different persons by whom she was employed, and some of her employers had occasion to call at her. This has been unhappily construed into criminality, without any just ground or foundation whatever. *Hinc illæ lachrymæ !* The pursuer, stimulated by some of his tippling companions, who have no good will at the defender, has been induced to commence this process against his wife ; while, on the other hand, she and her daughter, who is about fourteen years of age, are reduced to great hardship and distress. In these circumstances, the defender's defence against the present action, (denying the libel,) is, That the same is vague and irrelevant. It charges the defender in general, " with having committed adultery with sundry men, known not to be the complainer, for several years bygone." But a libel of divorce ought to be special and particular, as to persons, times, and places ; and it is incumbent on the pursuer to condescend specifically ;— for a general averment, as to persons known not to be the complainer, is fallacious. The pursuer is not here in a precognition, but in a direct charge of actual guilt and criminality against his wife. He either knows the persons with whom he alledges she was

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guilty,

guilty, or he does not. If he shall say, that he does know, he certainly ought to condescend upon their names and designations. This is what the defender, and every wife in the like unhappy predicament, is intitled to insist upon; otherwise no married woman, be she ever so chaste and virtuous, can be safe. And if the pursuer shall say, that he does not know the persons, times, or places, his charge must be held as made at random, and merely the effect of ill-grounded jealousy and suspicion. In fine, it is hoped the court, in the shape the process stands at present, will dismiss the libel as vague and irrelevant; at least, (if they shall sustain action,) ordain the pursuer to give in a particular condescendence, as to the persons, times, and places. As the said defences, signed by the said William Richardson, procurator foresaid, bear

To which defences it was answered on the part of the pursuer,—That, in the outset of the defences, the defender is pleased to cast out some reflections against the pursuer, and charges him with being addicted to tripling and intoxication: These are reflections, which, in prudence, she ought not to have made; as to the other misfortunes of the pursuer has
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been added, for these some years past, that of a drunken wife; of which there can be no manner of difficulty in leading a proof, if necessary. With regard to the objections stated against the relevancy of the libel, the pursuer, with submission, apprehends, that the Commissaries will have no manner of difficulty in repelling them. It charges the defender, in the most direct terms, with having been guilty, during a certain period, of adultery with other men, known not to be the pursuer. If Mrs. Williamson is innocent of this charge, she certainly cannot be injured, in whatever terms it is laid. If, on the contrary, she is guilty, little does it signify who the person is, or whether it be with one or more; and the exact time and places are equally immaterial, in the present stage of the cause. They, no doubt, must come out afterwards, in the course of the proof. The pursuer, if it was material, could condescend upon a very great number of cases, which have occurred in this court, where the libels were laid in the same manner as the present. Indeed it is rare that they are otherwise; and the reason is obvious. A man may be convinced of his wife's infidelity, and certain of the person with whom she has been guilty;

and yet, as he must not tamper with the witnesses, it is impossible for him to say, before hand, if the proof will come out so very strong, as to induce the Commissaries to pronounce decret of divorce. Had he, in his libel, condescended on the person's name, who he imagined, and in his mind is convinced of having injured him, that person might, afterwards, have it in his power to bring him to trouble, on account of the averments in the libel. The pursuer, therefore, imagines, that the court will not be inclined to order him to give in any such condescendence, as that called for: He trusts that, in the future stage of the cause, he will be able to lead a distinct proof of the defender's guilt with other men; and this proof will, no doubt, intitle him to decret of divorce. Before concluding, the pursuer wishes to remark, that the defender, by her arts, enticed away the children from him: Their being under her care has afforded her an argument against the pursuer; while, at the same time, she wishes to impress the court with a bad opinion of him: Although the profits of his business are less than what she can draw as a mantua-maker, yet he always wished to have his children with him, and will chearfully

fully receive them, if the defender would allow them to come to his house, and take up their future residence there. *In respect whereof*, &c. As the said answers, signed by the said John Wood, procurator foresaid, bear.

Likeas, the said William Richardson gave in, and presented to the said Commissaries, a petition, in name of the said Jean Wilson, defender:—Humbly shewing, That the said Peter Williamson has brought a most groundless, and ill-founded action of divorce, on the head of adultery, against the petitioner, his wife, which is called, and given out to give in defences. The petitioner, conscious of her own innocence, is hopeful it will appear, in the issue, to be without any just ground, or foundation; but, in the mean time, that she may be enabled to carry on and conduct her defence, she is intitled to insist upon having payment, from her husband, of such sum, as to the court shall seem reasonable, for the above purpose, as well as for aliment to herself and three children, who are left upon her hand; the pursuer having roused and sold off his household furniture, and betaken himself to a private room, as a lodger. The petitioner comes now to understand, that the pursuer, before intenting this action
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of divorce against her, has applied for and obtained admittance to the benefit of the poor's roll; but this device will afford him no handle against complying with the present demand, as it is a certain fact, that he carries on a very lucrative business, as master of a well established penny post-office, which brings him in ready money, every hour of the day, and enables him to have four men employed daily, in dispersing letters, to each of whom he pays four shillings and sixpence weekly; besides the emoluments of his printed Directory, and other profits arising from his business as a printer. And therefore, craving it might please the Commissaries to find the petitioner entitled to twenty pounds sterling, or such other sum as they shall think proper to modify, to enable her to conduct and carry on her defence, in this process; and for *interim* aliment to herself and her three children; And to sist procedure, till the same is paid. According to justice, &c. As the said petition, signed by the said William Richardson, bears.

Which petition having been allowed to be answered, the following answers were given in, on the part of the pursuer, bearing,—That the respondent, some time ago, found himself
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under the disagreeable necessity of bringing an action of divorce, before the Court, against the petitioner, his spouse: With respect to his having good reasons for taking this step, or its being only the effects of a jealous disposition, this will best appear in the future progress of the cause. Before raising this process, however, the respondent found himself necessitated to apply to the court, for the benefit of the poor's roll. His spouse, not contented with the irreparable injury she had done him, had added those of frequent and repeated abstractions from his income. This was only lately discovered, owing to a quarrel amongst his men; when, to his astonishment, he learned that Mrs Williamson had been mean enough to enter into a combination with them, whereby she was enabled to appropriate, for her own private purposes, little short of three fourths of the whole profits of the penny post. The respondent's situation being well known to the reverend Mr Simpson, one of the ministers of this city, he, and two of his ruling elders (equally acquainted with the respondent's poverty) certified the same to the court; upon which he was, at once, admitted to the benefit of the poor's roll. It is pretty singular, therefore, that

that the defender should apply for aliment against a man, whom her own extravagance, and vicious habits, had reduced to such a situation. This moment she carries on the mantua-making business, the profits arising from which far exceed any thing the pursuer can earn, either from his penny post-office, or the publication of his Directory. For some time after their unlucky separation, the respondent's eldest daughter continued with, and assisted him in the way of his business. The petitioner, however, soon found means to entice her away, as well as the two younger children. These steps, however, can never assist her plea for aliment, as the respondent, with the greatest cheerfulness, will receive home these children; and, considering how matters are situated, they certainly would be much better under his care than hers. When the Commissaries, therefore, consider well the situation of parties, the respondent trusts, that they will have little difficulty in refusing the desire of this petition: He is a man so much reduced in his circumstances, as to have induced the Commissaries to admit him to the benefit of the poor's roll; and, from such a man, no aliment can possibly be expected; add to this, that the petitioner herself carries
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on a lucrative employment, much more so indeed than what the respondent can pretend his to be. In addition to the above, the respondent begs leave to mention the following circumstances : First, That so far from raising money by a sale of his furniture, it is a fact, that the petitioner and her father carried off privately every thing that was valuable, and left not sufficient to pay the rent. The second is, That the petitioner and her father have set up a penny post in opposition to the respondent's ; so that she has the profits of it in addition to those of her business as a mantua-maker : The last is, That the eldest daughter, whom the petitioner enticed away, being regularly bred to business, can earn from ten to twenty shillings per week, and this sum the petitioner pockets also. As the said answers, signed by the said John Wood, bear.

And the said Commissaries having considered the libel, defences, and answers, they, by their interlocutor, of date the fifteenth day of January, seventeen hundred and eighty-nine years, before answer, allowed the pursuer a proof of his libel, and of all facts and circumstances tending to support the conclusions thereof, and the defender a conjunct probation ; and granted diligence,

hinc inde. And having also considered the petition for the defender, with answers thereto, in respect that the pursuer has been admitted to the benefit of the poor's roll, refused the desire of the petition; reserving to the defender also to apply for that benefit. As the said interlocutor, signed by the said Mr Andrew Balfour, and duely reported in court, upon the sixteenth day of said month of January extant in process, bears.

After reporting of said interlocutor, the action was called, and the Commissaries assigned that day eight days to the pursuer to prove: And the said pursuer having procured the Commissaries precept and diligence for citing witnesses for proving the foresaid libel, he, for proving thereof, did lead and adduce sundry witnesses; who being received, solemnly sworn, kneeling with their right hand upon the holy Evangel, purged of malice and partial counsel, examined and interrogate, did severally depone as follows, viz.

EUPHAM STEWART, residing in Canongate, aged twenty-two years, not married, deponed, That the deponent entered to the service of the pursuer on the first day of the races at Leith last year, and left it at Martinmas:

That

That the pursuer and defender were reckoned married persons, and lived together as such, when the deponent entered to the pursuer's service, as above: That the deponent, while in said service, remembers frequently seeing David Stephens trunk-maker in Edinburgh, come to the pursuer's house, and always at times when the pursuer was from home: That on such occasions, the defender and David Stephens sometimes went into the dining-room by themselves, where there was a concealed bed, and sometimes into the defender's bed-room, and, shutting the door behind them, sometimes continued together for two hours. Deponed, That the first circumstance which led the deponent to suspect something criminal betwixt David Stephen and the defender, was the defender's coming home one afternoon from the shop; and sending the deponent to desire David Stephens to come to her, the defender: That the defender used to speak of David Stephens as being a bad man, and using his wife ill, which raised the deponent's suspicion, as she the defender chused to be so much in his company. Deponed, That David Stephens came in consequence of the message, and immediately went with the defender into her

bed-room, and, shutting the door, continued there for about two hours: That the deponent, prompted by curiosity, looked through the key hole of the door, and saw Stephens sitting close to the defender with his hands about her neck, and likewise observed him put his hand into her breast, that at this time they were sitting upon two chairs: That this happened after dinner; and when they met at other times it was always about tea-time, or in the forenoon: That this happened about the time of Brodie's execution; That the deponent was sent three or four times with letters to Stephens; That sometimes he was not in his shop, but when there, he always came on receiving the letters. Deponed, That Mrs Tait keeps a public house in Befs Wynd, and which has the character of being a house of bad fame; and the deponent has heard the defender say that it had that character: That, during the deponent's service, two or three messages came from Mrs Tait to the defender to come to her house, who went accordingly; and the defender said to the deponent, that Mrs Tait had business to give her; and mentioned the grafting of silk stockings, and the altering of one or two gowns. Deponed, That the deponent

deponent remembers of the defender's going out at six o'clock on Monday evening after Brodie's execution, and of the defender's saying, that she was going to Mrs Rig of Morton at the Meadow: That the deponent went out immediately after to the pursuer's office with a message, and observed the defender go down Forrester's Wynd, and into a stair at the foot of the wynd: That the pursuer not being in his office, the deponent was obliged to wait a little there; and during the time of her stay there, David Stephens looked into the office, and then looked up to the windows of the pursuer's house, which is situate at the upper end of the Luckenbooths, on the north side, and the office, or shop, is on the opposite side, and farther down the street: That David Stephens then went into the same stair, at the foot of Forrester's Wynd, where the defender had gone: That the defender came that evening at eight o'clock to the office, and desired the pursuer to give her a shilling; which he refusing, she sent one of the pursuer's men to Miss Bowie's shop, opposite to the office, to borrow one for her, which he did: That the defender did not return to the pursuer's house till twelve o'clock that night, and was then much the worse of liquor.

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Deponed, That in the first door of the stair, at the foot of Forrester's Wynd, where the defender went as above, there is a house of bad fame, known and reported to be such, and kept by Miss Lockhart: That there were two families above in the same stair, with whom the defender is acquainted; but she had been in none of these houses, as the deponent was informed upon enquiring next day. Deponed, That the defender was mostly abroad every night, and very seldom came home before eleven o'clock, and was always the worse of liquor; and sometimes sent out the deponent for liquor after she came home. *Causa scientiæ patet.* And this is truth, &c.

ELISABETH ROBERTSON, servant to Mrs Home, New Town, Edinburgh, aged eighteen years, not married, Deponed, That the deponent entered to the pursuer's service in the beginning of the year seventeen hundred and eighty-seven, and left it before the Leith races last summer: That the pursuer and defender, during the deponent's service, lived together as man and wife, and were reputed such. Deponed, That the defender used sometimes to go abroad at night, and say that she was at Mrs Rig of Mortons, or at Mrs Tait's in Befs Wynd, who

who gave her employment; and used ordinarily to come home about eleven or twelve at night, and was sometimes the worse of liquor: That the deponent remembers of the defender's going one night, betwixt eight and nine, to Mrs Tait's house to keep Mr Tait's birth day: That the deponent went to Mrs Tait's about twelve, or a little after, in order to conduct the defender home: That the deponent staid till betwixt one and two o'clock, when a drunk man, coming into Tait's kitchen and cursing the deponent, she came back to the pursuer's house: That the pursuer had locked the door, but opened it and let in the deponent, who went to her bed, and does not know what time the defender came home: That the pursuer had afterwards let in the defender, as the deponent some time after heard her crying; and when the pursuer left the defender, the defender called upon the deponent to come to her, who went accordingly; and the defender told the deponent, that the pursuer had beat her: That at this time the defender was much the worse of liquor: That the defender after this went to her bed, who at this time slept separate from the pursuer. Deponed,
That some time in the summer after what is
above

above deponed to; the deponent remembers the defender coming home after twelve o'clock at night, very much the worse of liquor: That she sent the deponent for two bottles of beer, but went no farther than the foot of the stair, as all the shops were shut: That in going down the stair; she spoke with two servants of Mr Mackenzie writer, and was informed by them of their finding the defender lying in the stair with a man; and that she was much intoxicated with liquor; and that they brought her up, and put her in at the pursuer's door? That the defender's cloaths were very much ruffled: That her cloak was away, the sleeve of her gown tore, her bonnet turned aside, and her napkin much disordered: That the deponent sent the defender's daughter to tell her that she would stay no longer in her service: That Mrs Mackenzie's servants desired the deponent to leave her service: That the defender next day sent the deponent to Mrs Mackenzie to inform her, that the person who was found lying in the stair, as above, was a woman who lodged in the defender's house; but upon the deponent's telling this to Mrs Mackenzie's daughter, the deponent was informed, that this was not the first time the defender

fender had been found in that situation ; and that she need not go to expose herself by telling lies about the matter. Deponed, That there never was any woman lodging in the house during the deponent's service : That the defender, next day after this happened, made the deponent a present of a pocket napkin, and likewise promised to buy her a printed short gown, upon condition, that she would not speak of what had past to the pursuer, or any of her acquaintances. Deponed, That a good while after the deponent came to the pursuer's service, she observed one Campbell, whom she believes to be a writer, come frequently to the pursuer's house, and always when he was from home ; and that he came at different times of the day, and sometimes, when upon opening the door he saw the pursuer in the house, he would have gone and walked ; and when the pursuer went out, he returned back : That the defender and this Campbell went in by themselves sometimes to the defender's bed-room, and sometimes to the dining-room, with the doors shut upon them : That sometimes he would have come in about eight in the evening, and remained alone with the defender till past ten. Deponed, That the first winter

of the deponent's service, she remembers the pursuer coming home one evening, about eleven or twelve at night, when this Campbell and the defender were at supper : That the defender went to the kitchen, and staid there with the pursuer, while the deponent took the table-cloth, and other things off the table ; and Campbell stood behind the door till the pursuer went to his bed ; after which the defender and Campbell went into the dining-room, where they remained about a quarter of an hour ; after which the defender let him out by a door in the dining-room, that opened to the stair. Deponed, That the deponent remembers some time after this of a Mr Grant, merchant in Leith, once visiting and drinking tea with the defender alone : That the defender, upon Grant's coming in, sent the deponent a message to Herriot's Hospital for her the defender's son, to come and speak to her ; but upon her return, she found the defender gone, and the house locked. Deponed, That the deponent afterwards observed to the defender's daughter, that it appeared odd to her the deponent, for the defender to send her out in time of tea, and nobody to bring the kettle ; and the daughter agreed with the deponent that it was very
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ridiculous : That the defender's son had not been in the house for six or seven weeks previous to this period. Deponed, That some short time after the deponent entered her service, she remembers David Gray, servant to Mr Allan banker, calling sometimes upon the defender when the pursuer was out, and going into the dining-room, where they remained sometimes an hour, and sometimes less, and sometimes more, by themselves, with the door shut : That the said Gray wore livery. Deponed, That last winter the defender complained of a pain in her side, and sent Mrs Lauder, formerly a servant to the defender, for Mr Carlstairs surgeon, to attend her ; and the deponent was informed by Mrs Lauder, that the disease was venereal ; and Mrs Lauder forbade the deponent to allow any of the children to drink, or take any thing out of the same cup with the defender ; and it consists with the deponent's knowledge, that the defender's disease, and her being attended by a surgeon, was concealed from the pursuer : That at this time the pursuer was in health, and attended his business as usual. Upon the defender's interrogate, deponed, That the defender was by profession a mantua-maker, and was employed to

graft silk stockings, and make dead cloaths, and she engaged the deponent in that line; and at the time the deponent entered to her service, the defender was very well employed, and wrought to Mr Allan banker, Mrs Rigg of Morton, and Miss Ords, and others; and Mrs Tait's daughter, who was likewise bred a mantua-maker, going to London, the defender was introduced to her customers: That before the deponent left the defender's service, she had lost great part of her business. Deponed, That the deponent never heard a bad character of Mrs Tait before mentioned: That when Campbell, above mentioned, first became acquainted with the defender, the pursuer used to come with him and drink tea with the defender; and Mrs Campbell, housekeeper to Mrs Home Rigg, and aunt to Mr Campbell, used sometimes to drink tea with the defender. Deponed, That the defender informed the deponent that she had got the disorder by which she was afflicted from the pursuer; but the witness did not believe what the defender said: That the deponent believed the pursuer to be ignorant of the defender's disorder; because, when Mr Carstairs happened to come when the pursuer was at home, the defender pushed him

him back, and desired him to come at some other time: That the defender's illness rendered her both deaf and hoarse for a considerable time: That the pursuer used almost every night to be out at supper, as the defender was always asking money from him; and when she got it, did not apply it to buy bread and meal to the children, as she said, but bought spirits with it. *Causa scientiæ patet.* And this is truth, &c.

LEWIS MURRAY, servant to Hugh Murray porter-dealer in Edinburgh, aged thirty years, married, deponed, That he knows the defender, having frequently seen her standing in the pursuer's shop door, and having been informed on enquiring who she was, that she was wife to the pursuer. Deponed, That, in the course of his service, he has had frequent occasion to be sent by his master with parcels of porter, to the house of one William Johnstone, whom the deponent understood to have kept a house of bad fame, in Writers Court in this city. Deponed, That he has had frequent occasion to see the defender in that house, in the evening, between the hours of seven and nine, in company with Mrs Johnstone, the mistress of the house,
and

and another woman, whose name the deponent has forgot ; but whom he believes is an Englishwoman, and whom he knows carried on business as a milliner in this city ; but the deponent never saw the defender in company with any man in that house. On more special interrogatories, deposed, That the said William Johnstone kept a public house in Writers Court, which the deponent believed to be a bawdy-house, or house of bad fame, because it was generally habited and reputed so to be ; and because the deponent has frequently seen women, whom he knew to be prostitutes, frequenting the said house. *Causa scientiæ patet.* And this is truth, &c.

JOHN CARSTAIRS, surgeon in Canongate of Edinburgh, aged fifty-six years, married, deposed, That he is acquainted with the defender ; his acquaintance with whom commenced in the latter end of September, or beginning of October, seventeen hundred and eighty-seven : That the deponent then received a message from the defender, and that he waited upon her accordingly, at a house in the Luckenbooths, which he afterwards understood was the house of the pursuer. And deposed,

ned, That the message came to the deponent, as from Mrs Williamfon: When the deponent waited upon the defender, she complained to him that she was not well, and had sores about her private parts; which, on inspection, the deponent immediately perceived to be venereal shankers. Deponed, That he immediately put her under a course of mercury; in consequence of which, in about six weeks, the defender declared to the deponent that she was completely cured. Deponed, That the defender seemed exceedingly unwilling to believe that her disorder could possibly be venereal; and declared, that if it was so, she could have got it from no person but her husband. And to the enquiries of the deponent she answered, that she had seen medicines about the pursuer's shop, and observed stained cloths in his pocket. Deponed, That the defender never cautioned the deponent to conceal his attendance from the pursuer, nor expressed any uneasiness lest the pursuer should become acquainted with the nature of her complaint; and the deponent had every reason to believe, from the defender's conduct and conversation, that the pursuer was acquainted with the nature of her complaint, and knew of the deponent's attendance.

tendance: Deponed, That he was paid for his attendance and medicines in small partial payments, most of which he received from the defender herself, and the remainder partly from a little fresh complexioned girl, whom the deponent knew to be the defender's daughter, and partly, the deponent believes, from her servant maid; both of whom the defender occasionally sent for medicines. *Causa scientiæ patet.* And this is truth, &c.

HUGH MURRAY, porter-dealer in Edinburgh, aged thirty years, married, deponed, That he keeps a porter-cellar in Edinburgh, and that Lewis Murray, a preceding deponent, is his servant. Deponed, That he was acquainted with a house kept by William Johnstone in Writers Court, having served the same with porter; and that the said house was generally reputed a house of bad fame: That the deponent had several times occasion to go to that house, in order to recover payment of an account, which was due him; and on more than one of those occasions, the deponent has seen the defender, Mrs Williamson, passing from one room to another in said house; and at one of those times had particular occasion to remark her, she having staid some time in the passage

sage with the deponent, while she was talking to Mrs Johnstone. And deponed, That this happened, to the best of the deponent's recollection, about two years ago. *Causa scientia patet.* And this is truth, &c.

NAOME DRYSDALE, indweller in Canongate, aged thirty-six years, widow, being sworn, &c. deponed, That she is acquainted with a Mr Griffith, whose linens the deponent washed; and that the said Mr Griffith has more than once delivered a written line or note to the deponent, desiring her to carry the same to the defender Mrs Williamson. Deponed, That when Mr Griffith lived at Dumbreck's, he frequently used to dress in the deponent's house; and that the defender has several times called at the deponent's house, when Mr Griffith was there, and held some conversation with the said Mr Griffith, which the deponent's deafness prevented her from over-hearing: That the deponent never observed any indecent familiarities between Mr Griffith and the defender, or any behaviour betwixt them, which was not consistent with the greatest discretion and politeness. Deponed, That she has sometimes left Mr Griffith and the defender together in a room

in which there was a bed ; but that the said bed was always made up at the time ; and the deponent is certain, from finding it in the same situation at her return, that nobody had been in it, or on it, in her absence. Upon recollection, deponed, That the lines or cards which Mr Griffith desired the deponent to carry and deliver to the defender, were directed, not to her, but, to the best of the deponent's recollection, to a Miss Campbell ; and the deponent supposes they might be designed, as Mr Griffith was an unmarried man, for some young lady, with whom he might be carrying on a clandestine correspondence, through the means of Mrs Williamson, defender. *Causa scientiæ patet.* And this is truth, &c.

ALISON LAUDER, spouse of Francis Lauder, writer in Edinburgh, aged twenty-six years, deponed, *Nil novit in causa*, and dismissed.

DONALD SUTHERLAND, letter-carrier to Peter Williamson, pursuer, aged thirty-nine years, married, deponed, That he knows one Mrs Tait, who keeps a public house in Bess Wynd in this city, and that her house is generally reputed to be a house of bad fame.

Deponed;

Deponed, That one evening in the month of October last, Mrs Williamson, defender, went with the deponent, and two of his companions, at a little after nine in the evening, to the house of the said Mrs Tait, to drink half a mutchkin of whisky: That when there, the defender sent the deponent with a letter, directed to David Stephens trunk-maker in Edinburgh, which she desired the deponent to carry for him to the house of one Logan, a vintner in Brodie's Clofs: That the deponent carried the letter as directed, and found Mr Stephens, apparently the worse of liquor, in the house of the said Logan: That the deponent does not know the contents, or the import, of Mrs Williamson's letter; but when he delivered it to Mr Stephens, he received a verbal answer for Mrs Williamson, that he the said Stephens would follow the deponent to Mrs Tait's in a few minutes: That the deponent immediately returned to Mrs Tait's, and delivered Mr Stephen's above-mentioned message to Mrs Williamson; when the half mutchkin being done, the deponent, and his two companions, immediately left Mrs Williamson in the house of the said Mrs Tait.

Causa scientiæ patet. And this is truth, &c.

DAVID

DAVID STEPHENS, trunk-maker in Edinburgh, aged thirty-six years, married, deponed, That he is acquainted with Mrs Williamson, defender in this cause. Deponed, That some time since the month of September last, the deponent, when at the house of Peter Logan, vintner in Brodie's Clofs, received a letter, or card, from Mrs Williamson, which letter was delivered to the deponent by one of Mr Williamson's letter-carriers, by whom the deponent returned a verbal answer. Deponed, that it confifts with the deponent's knowledge, That Mrs Williamson, the defender, has had carnal knowledge of a man different from her husband. And deponed, That his knowledge of the above circumstance is not derived from the information of others. *Causa scientiæ patet.* And this is truth, &c.

As the said witnesses, their oaths and depositions, dated the second, eleventh, and seventeenth days of February, seventeen hundred and eighty-nine years, signed by them, and by one of the said Commissaries, extant in process, bear.

Thereafter, the foresaid action having been again called upon the eighteenth day of the said

faid month of February, the Commiffaries assigned that day eight days to the faid William Richardson, procurator for the defender, to prove; and that day fortnight to conclude proof.

And upon the fourth day of March, seventeen hundred and eighty-nine, the action having been again called in court, the Commiffaries held the proof as concluded, and made *avizandum* with the cause.) And the faid Commiffaries having again confidered the forefaid action and cause, with the proof adduced, they, by their interlocutor of this date, the faid fixth day of March, seventeen hundred and eighty-nine years, FOUND facts, circumstances, and qualifications proven, relevant to infer the defender's guilt of adultery: Found the faid defender guilty of adultery accordingly; and therefore Divorced and Separated: Found and Declared in terms of the conclusions of the libel, so far as relates to the conclusions for Divorce, and Decerned. As the faid interlocutor, signed by the faid Mr. Andrew Balfour, and duly reported in court, upon the faid fixth day of March, bears.

And the faid action having been last of all called in court upon the date hereof, the faid twenty-fifth day of March, seventeen hundred

dred and eighty-nine years, the Commissaries pronounced sentence, as the same, signed by the said Mr Andrew Balfour, bears. And so the saids Commissaries gave, and pronounced their Sentence and Decreet in the foresaid matter, FINDING, DECLARING, DIVORCING, SEPARATING, and DECERNING in manner at length before written.

Extracted by

(Signed,) ALEX. DUNCAN, Dep.



